

UNITED STATES DISTRICT COURT  
for the  
Western District of Texas

Filed 3/18/2009  
Clerk, U. S. District Court  
Western District of Texas  
By \_\_\_\_\_ Deputy

U. S. A. vs. Jose Luis Hernandez

Case No. SA08- CR 00190(01) FB

**Petition for Action on Conditions of Pretrial Release**

COMES NOW Silvia Araceli Galvan, Pretrial Services Officer, presenting an official report upon the conduct of defendant Jose Luis Hernandez who was placed under pretrial release supervision by the Honorable John W. Primomo, sitting in the court at San Antonio, on the 5<sup>th</sup> day of September 2008, under the following conditions:

See Appearance Bond and Order Setting Conditions of Release dated September 5, 2008:

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach)

Jose Luis Hernandez appeared before the Court for the Initial Appearance on March 25, 2008. At the time of his arrest for the instant offense, the defendant was on bond for a state felony drug charge in Laredo, TX (which has since been dismissed). An Agreed Order of Detention was filed on April 4, 2008 and the defendant was remanded to custody of the U.S. Marshals.

On September 5, 2008, the defendant appeared before the Honorable Fred Biery, U.S. District Judge, who imposed a sentence of 60 months imprisonment and ordered his release on pretrial supervision. Hernandez is scheduled to self surrender to the Bureau of Prisons on March 30, 2009 to commence serving his term of imprisonment.

Jose Luis Hernandez submitted a urinalysis specimen on March 11, 2009 which resulted positive for the use of cocaine.

*Accordingly, Pretrial Services alleges the defendant has violated the following condition of his release:*

*7 (q.) Refrain from any use or unlawful possession of a narcotic drug and other controlled substances defined in Title 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.*

AUSA Sam Ponder has been advised of the violation noted above and is in agreement with our recommendation.

**PRAYING THAT THE COURT WILL ORDER** a warrant be issued for the defendant's arrest and he be brought before this Court to show cause as to why this bond should not be revoked.

Respectfully submitted,

  
Silvia Araceli Galvan  
U.S. Pretrial Services Officer

Place: San Antonio, Texas

Date: March 17, 2009

ORDER OF COURT

Considered and ordered this 17<sup>TH</sup> day of  
MARCH, 2009, and ordered  
filed and made a part of the records in the above  
case.

